

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In re:

DONNA FAYE SAMMONS,

CHAPTER 7

Debtor.

CASE NO. 09-31375-DOT

**LITTON LOAN SERVICING, L.P., AS
SERVICER FOR THE BANK OF NEW YORK
MELLON FKA THE BANK OF NEW YORK AS
SUCCESSOR TO JPMORGAN CHASE
BANK, N.A., AS TRUSTEE FOR THE
BENEFIT OF THE CERTIFICATEHOLDERS
OF POPULAR ABS, INC. MORTGAGE PASS-
THROUGH CERTIFICATES SERIES 2005-5,**

Plaintiff/Movant.

vs.

**DONNA FAYE SAMMONS
AKA DONNA F. SAMMONS
ROY M. TERRY, JR., TRUSTEE,**

Defendants.

ORDER GRANTING RELIEF

Upon consideration of the motion of Litton Loan Servicing, L.P., as servicer for The Bank of New York Mellon fka The Bank of New York as successor to JPMorgan Chase Bank, N.A., as Trustee for the benefit of the Certificateholders of Popular ABS, Inc. Mortgage Pass-Through Certificates Series 2005-5 to modify the automatic stay; it is

ORDERED that the automatic stay of 11 U.S.C. Section 362 is modified to permit the Plaintiff and its successors and assigns to enforce the lien of its Deed of Trust as it pertains to the real property located at 7919 Halyard Terrace, Chesterfield, VA 23832, and more particularly described as follows:

All that lot or parcel of land, with improvements thereon and appurtenances thereto belonging, lying and being in matoaca district,

chesterfield county, Virginia and designated as lot 6, of section III, ashbrook, as shown on a plat by J.K. Timmons and associates, inc., dated April 19, 1990 and recorded may 25, 1990, in the clerk's office, circuit court of the county of chesterfield, Virginia in plat book 71, pages 36 and 37, and amended plat of ashbrook, section 3, dated July 24, 1990, recorded august 14, 1990, in the aforesaid clerk's office to which plats reference is made for a more particular description.

Together with all rights and subject to all obligations as set forth in "ashbrook, section iii declaration of covenants and restrictions of the ashbrook community association, inc. and s and b development company of Virginia, inc. as amended, and declaration of rights restrictions affirmative obligations and conditions applicable to section iii in ashbrook" recorded on June 5, 1990, in deed book 2092, page 1200, in the aforementioned clerk's office, notice this conveyance is subject to a foot non-exclusive easement across the side of each lot as described in paragraph 2 of the declaration of rights, restrictions, affirmative obligations and conditions as set forth in such document recorded in deed book 1722 at page 1777 in the aforementioned clerk's office.

Parcel # 719667994700000

Relief under this Order shall extend to the purchaser at any foreclosure sale to allow the purchaser to take such action under state law, as may be necessary, to obtain possession of the property.

DATED:

JUDGE

NOTICE OF JUDGMENT OR ORDER
Entered on Docket

I ask for this:

/s/ ERIC DAVID WHITE

Samuel I. White, P. C.

Eric David White, Esquire, VSBN 21346

Counsel for Litton Loan Servicing, L.P., as servicer for The Bank of New York Mellon fka The Bank of New York as successor to JPMorgan Chase Bank, N.A., as Trustee for the benefit of the Certificateholders of Popular ABS, Inc. Mortgage Pass-Through Certificates Series 2005-5
1804 Staples Mill Road, Suite 200
Richmond, VA 23230

Seen and Agreed:

/s/ RICHARD S. CLINGER

Richard S. Clinger, Esquire
Counsel for Debtor
422 East Franklin Street
Suite 101
Richmond, VA 23219

/S/ ROY M. TERRY, JR.

Roy M. Terry, Jr., Esquire
Chapter 7 Trustee
Durrette Bradshaw, PLC
Post Office Box 2188
Richmond, VA 23218-2188

CERTIFICATE

I hereby certify that this proposed Order is substantially in compliance with Standing Order Number 10-2 and that it has been endorsed by all necessary parties involved in this proceeding.

/s/ ERIC DAVID WHITE

Samuel I. White, P. C.

The Clerk shall mail a copy of the entered Order to the following:

Roy M. Terry, Jr., Esquire
Chapter 7 Trustee
Durrette Bradshaw, PLC
Post Office Box 2188
Richmond, VA 23218-2188

Richard S. Clinger, Esquire
Counsel for Debtor
422 East Franklin Street
Suite 101
Richmond, VA 23219

Donna Faye Sammons
Debtor
7919 Halyard Terrace
Chesterfield, VA 23832